

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 12050 of 2007(H)

PETITIONER:

JOSE THOMAS, S/O.THOMAS,
MOOKKANTHOTTATHIL, KOCHARA KARA,
KARUNAPURAM VILLAGE, IDUKKI.

BY ADV. SRI.BINDU SREEKUMAR

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, HOME AFFAIRS, SECRETARIAT,
THIRUVANANTHAPURAM.
2. DIG OF POLICE, KERALA STATE,
THIRUVANANTHAPURAM.
3. SUPERINTENDENT OF POLICE,
PINAVU, IDUKKI.
4. SUB INSPECTOR OF POLICE,
CAMBUMMETTU POLICE STATION.
5. RAJU, S/O.DAMODARAN,
KIZHAKKEDATHU KUNNEL HOUSE,
MOONKIPALLAM KARA, KARUNAPURAM VILLAGE,
IDUKKI DISTRICT.
6. OMAN, W/O.RAJU, DO. DO.
7. SOMARAJAN, S/O.MADHAVAN,
PULLELIL HOUSE, KARUNAPURAM VILLAGE,
IDUKKI DISTRICT.
8. BIJU, S/O.VARGHESE,
VADAKKEL HOUSE, KARUNAPURAM VILLAGE,
IDUKKI DISTRICT.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

R.BASANT, J.

W.P.C.No.12050 of 2007

Dated this the 29th day of October 2007

J U D G M E N T

The grievance of the petitioner is that though further investigation was ordered as per Ext.P4 by the learned Magistrate, no proper steps for further investigation under Section 173(8) Cr.P.C is being taken by the investigating officer. The investigating officer was directed to file a statement. A statement and further statement have been filed.

2. The learned counsel for the petitioner now submits that in view of the further statement dated 10/9/2007 filed by the investigating officer, the petitioner does not seek any further directions in this writ petition. With leave to the petitioner to approach this court again, if investigation is not completed efficiently and expeditiously hereafter, this writ petition can now be closed, submits the learned counsel for the petitioner.

3. This writ petition is accordingly dismissed as agreed.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

W.P.C.No.12050 of 2007

Dated this the 23rd day of July 2007

O R D E R

There is controversy arise now as to whether the thumb impression of the second accused, who even according to the prosecution, has impersonated the father of the first accused and executed the document had been taken by the police and whether such thumb impression has been forwarded to the expert for comparison. While the learned Public Prosecutor asserts that the thumb impression of the second accused has been taken, the learned counsel for the petitioner submitted that such thumb impression has not been taken. The learned Public Prosecutor is directed to take further instructions. A further statement specifying whether the thumb impression of the second accused has been taken and forwarded to the expert shall be filed by the learned Public Prosecutor within a period of fifteen days.

2. Call on 20/08/2007.

Hand over copy of this order to the learned Public

W.P.C.No.

3

Prosecutor.

jsr

(R.BASANT, JUDGE)

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007